

**ASSEMBLY BILL**

**No. 734**

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**Introduced by Assembly Member Mansoor**

February 21, 2013

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An act to amend Section 92032 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 734, as introduced, Mansoor. University of California: regent meetings: student participation.

The Donahoe Higher Education Act authorizes the activities of the 4 segments of the higher education system including the University of California, which is administered by the Regents of the University of California. Provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the regents act, by resolution, to make them applicable. Existing law authorizes the Regents of the University of California to hold special meetings with public notice for these meetings. Existing law authorizes the regents to conduct closed sessions when they meet to consider or discuss certain topics, including matters affecting national security and certain personnel and litigation matters.

This bill would encourage the regents to allow a student, selected by the University of California Student Association, to attend the closed session meetings. The bill would require the student to be a nonvoting, noncontributing participant at the meetings.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 92032 of the Education Code is amended to read:

92032. Notwithstanding Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code:

(a) The Regents of the University of California, as occasioned by necessity, may hold special meetings. The regents shall give public notice for these meetings. This notice shall be given by means of a notice hand delivered or mailed to each newspaper of general circulation and television or radio station that has requested notice in writing, so that the notice may be published or broadcast at least 72 hours before the time of the meeting. The notice shall specify the time, place, and agenda of the special meeting. The regents shall not consider any business not included in the agenda portion of the notice. Failure to comply with this subdivision shall not be excused by the fact that no action was taken at the special meeting.

(b) The Regents of the University of California may conduct closed sessions when they meet to consider or discuss any of the following matters:

- (1) Matters affecting national security.
- (2) The conferring of honorary degrees or other honors or commemorations.
- (3) Matters involving gifts, devises, and bequests.
- (4) Matters involving the purchase or sale of investments for endowment and pension funds.
- (5) Matters involving litigation, when discussion in open session concerning those matters would adversely affect, or be detrimental to, the public interest.
- (6) The acquisition or disposition of property, if discussion of these matters in open session could adversely affect the regents' ability to acquire or dispose of the property on the terms and conditions they deem to be in the best public interest.
- (7) (A) Matters concerning the appointment, employment, performance, compensation, or dismissal of university officers or employees, excluding individual regents other than the president of the university.

1 (B) (i) Action taken by a committee of the regents, and final  
2 action by the full board of regents, on a proposal for the  
3 compensation package of the following executive officers shall  
4 occur in an open session of each of those bodies, and shall include  
5 a disclosure of the compensation package and rationale for the  
6 action:

7 (I) The President of the University of California.

8 (II) The chancellor of an individual campus.

9 (III) A vice president.

10 (IV) The treasurer or the assistant treasurer.

11 (V) The general counsel.

12 (VI) The regents' secretary.

13 (ii) Members of the public shall be afforded the opportunity to  
14 address the committee and full board on the proposal during or  
15 before consideration of the action item.

16 (C) Discussion by a committee of the regents of, and action on,  
17 an executive compensation program or policy, and any final action  
18 by the full board of regents on that program or policy, shall occur  
19 in open session of each of those bodies.

20 (D) Compensation for the principal officers of the regents and  
21 the officers of the university shall include salary, benefits,  
22 perquisites, severance payments (except those made in connection  
23 with a dismissal or a litigation settlement), retirement benefits, or  
24 any other form of compensation.

25 (8) Matters relating to complaints or charges brought against  
26 university officers or employees, excluding individual regents  
27 other than the president of the university, unless the officer or  
28 employee requests a public hearing.

29 (c) While a witness is being examined during any open or closed  
30 session, any or all other witnesses in the investigation may be  
31 excluded from the proceedings by the regents.

32 (d) Committees of the regents may conduct closed sessions on  
33 Medi-Cal contract negotiations.

34 (e) The nominating committee of the regents may conduct closed  
35 sessions held for the purpose of proposing officers of the board  
36 and members of the board's various committees.

37 (f) Committees of the regents may conduct closed sessions held  
38 for the purpose of proposing a student regent.

1 (g) The regents shall not be required to give public notice of  
2 meetings of special search or selection committees held for the  
3 purpose of conducting interviews for university officer positions.

4 (h) *The regents are encouraged, but not required, to allow a*  
5 *student, selected by the University of California Student*  
6 *Association, to attend the closed session meetings pursuant to this*  
7 *section. The student shall be a nonvoting, noncontributing*  
8 *participant at the meeting.*

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